

KRIS CHARLES MILLER,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

VS.

On September 24, 2015, the undersigned entered an Order (Docket No. 20) that granted Defendant's previously-filed "Motion to Show Cause Why This Complaint Should Not Be Dismissed, Pursuant to Rule 41(b) Federal Rules of Civil Procedure" (Docket No. 19). Defendant's Motion pointed out that the Court had previously entered an Order setting a briefing schedule in this action filed pursuant to 42 U.S.C. § 405(g). Docket No. 16. That Order required Plaintiff to file a Motion for Judgment on the Administrative Record, supported by a Brief, within thirty (30) days of June 26, 2015. *Id.* The Motion to show cause was filed September 23, 2015, and stated that, as of that date, Plaintiff had not filed his Motion for judgment on the record. Docket No. 19.

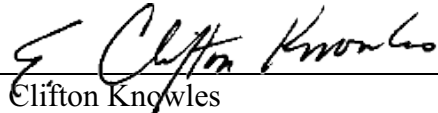
On October 1, 2015, Plaintiff submitted to the Court a copy of Defendant's Motion to Show Cause, with several handwritten paragraphs concerning his attempts to obtain a job and physical attacks upon him in 1974 and 1977, in which he sustained head injuries. His filing

states in part, “There should many FBI reports of people taking my picture with an x-ray camera using x-ray film to make me try and lose my memory.” Docket No. 23, p. 2.

In his filing, however, Plaintiff has made no attempt to show cause why he did not comply with the Court’s previous Order. As of the date of the entry of the instant Report and Recommendation, Plaintiff still has not filed an appropriate Motion and supporting Brief.

For the foregoing reasons, the undersigned recommends that this action be DISMISSED WITH PREJUDICE.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh’g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge